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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,582	06/29/2000	Michael A. Falco	104108-0014	7601

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EXAMINER

SHIBRU, HELEN

ART UNIT PAPER NUMBER

2621

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/606,582

Applicant(s)

FALCO, MICHAEL A.

Examiner

HELEN SHIBRU

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-3, 7-10, 12-15, 19, 20 and 24 is/are rejected.
- 7) ☐ Claim(s) 4-6, 11, 16-18 and 21-23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendments, filed on 12/27/2005, have been entered and made of record. Claims 1-24 are pending.

Response to Arguments

2. Applicant's arguments filed on 12/27/05 have been fully considered but they are not persuasive.

In re page 10 Applicant states "we have clarified the extracting step by further stating that the information of interest excludes information that is not needed for the use to which the data is to be put."

In response the examiner respectfully disagrees. In the Le reference, as applicant stated in page 10 paragraph 4, each and every field of the original header is extracted. Each and every field of the original header is extracted because each and every field of the original header are needed for the use to which the data is to be put, and each and every field of the original header are information of interest. Thus the header will be the information of interest.

In re page 11 paragraphs 2-3 Applicant states "Agraharam teaches in the paragraph cited by the Examiner that the RTP packets, in modified form, are rebroadcast/multicast in a multimedia communication and the received modified packets may then stored for later retrieval on demand. Page 2 paragraph 0025... While the Agraharam reference teaches that modified RTP packets received through broadcast or multicast can be stored, there is no teaching or suggestion in a combination of the Le and Agraharam references of storing data in the form of RTP packets prior to the transmission or play back of the data."

In response the examiner respectfully disagrees. As stated by the applicant Agraharam reference teaches RTP packets are stored for later retrieval on demand. The stored packets will be playback.

The claimed invention does in fact read on the cited references for at least the reasons discussed above and as stated in the detail Office Action as follows.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office actions.

4. Claims 1-3, 7-10, 12-15, 19-20, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Le (US 6,300,887 B1) in view of Agraharam et al (US 2001/0042114 A1) as set forth the Final Office Action mailed 12/21/04.

Regarding claim 1, Le discloses a method for compressing header of the RTP packets (Fig. 2) comprising:

receiving RTP packets (terminal 102 of Fig. 2, col. 17, lines 8-24), of which each includes a received RTP payload and a respective received RTP timestamp; and

compressing RTP timestamp derived from the corresponding received RTP packet's received RTP timestamp (col. 29, lines 7-20). However, Le does not specifically disclose the claimed receiving a received record and, in response to the received record, storing in a persistent medium a stored record as stored packets of which each corresponds to a respective one of the received RTP packets.

Agraharam et al teaches that RTP packets can be stored and later retrieved on demand (page 2, paragraph #0025).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of storing the RTP packets as taught by Agraharam et al into Lee's system in order to store the RTP packets and later retrieve on demand.

Regarding claim 2, Le also discloses the claimed wherein the stored timestamp in each stored packet header equals to the received RTP timestamp contained in the respective received RTP packet (col. 29, lines 7-20).

Regarding claim 3, Agraharam et al teaches the claimed wherein the format of the stored packet is that of the corresponding received RTP packet (page 2, paragraph #0025).

Regarding claim 7, Agraharam et al teaches the claimed retrieving the stored record and transmitting in accordance with the timestamp in each recorded packet a corresponding transmitted RTP packet including in a header of the transmitted RTP packet a transmitted RTP timestamp and including payload the same as that of the recorded packet to which that transmitted packet corresponds (page 2, paragraph #0032).

Regarding claim 8, Le discloses a method for compressing header of the RTP packets (Fig. 2) comprising:

taking samples of time-dependent data (terminal 102 of Fig. 2, col. 17, lines 8-24); and
compressing the timestamps of RTP packets whose payloads represent the samples values and whose timestamp represent the times at which the first samples in their respective payloads were taken (local timer 103 of Fig. 2, col. 17, lines 8-24 and col. 29, lines 7-20).

However, Le does not specifically disclose the claimed storing a record of the data in a persistent medium as a plurality of stored RTP packets.

Agraharam et al teaches that RTP packets can be stored and later retrieved on demand (page 2, paragraph #0025).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of storing the RTP packets as taught by Agraharam et al into Lee's system in order to store the RTP packets and later retrieve on demand.

Regarding claim 9, Agraharam et al teaches the claimed wherein:
the sampled data are audio data (page 2, paragraph #0025); and
the method further includes retrieving the stored RTP and playing the audio data in accordance with the stored packets' stored timestamps (page 2, paragraph #0032).

Regarding claim 10, Agraharam et al discloses the claimed wherein:
the sampled data are video data (page 2, paragraph #0032); and
the method further includes retrieving the stored RTP packets and playing the video data in accordance with the stored packets' stored timestamps (page 2, paragraph #0032).

Regarding claim 12, Agraharam et al teaches the claimed retrieving the stored record and transmitting in accordance with the stored timestamp in each recorded packet a corresponding transmitted RTP packet including a transmitted RTP timestamp and further including payload that is the same as that of the recorded packet to which that transmitted packet corresponds (page 2, paragraph #0032).

Apparatus claims 13-15, and 19 are rejected for the same reasons as discussed in the method claims 1-3, and 7 above.

Apparatus claims 20 and 24 are rejected for the same reasons as discussed in the method claims 8-10 above.

Allowable Subject Matter

5. Claims 4-6, 11, 16-18 and 21-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571) 272-7329. The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Helen Shibru
March 29, 2006


THAI TRAN
PRIMARY EXAMINER
HAI TRAN
PRIMARY EXAMINER
MAY 1 2006